

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

CASE NO.: 23-CR-60010-RS

UNITED STATES OF AMERICA,

Plaintiff,

v.

RHOMY LOUIS,

Defendant.

**AGREED MOTION FOR POSTPONEMENT OF DEFENDANT LOUIS' VOLUNTARY
SURRENDER TO FEDERAL BUREAU OF PRISONS IN ORDER TO CONTINUE HER
COOPERATION WITH THE GOVERNMENT**

The Defendant, Rhomy Louis ("Louis"), through her undersigned counsel, herein file this agreed motion for at least a three-month postponement of her presently-scheduled April 5, 2024 voluntarily surrender date to the Danbury FPC Bureau of Prisons facility to commence service of her twenty-one month term of imprisonment. As set forth below, the requested postponement will allow Louis to complete her cooperation, and this Court to hold a hearing upon the Government's yet-to-be-filed Rule 35 motion. In support, Louis avers:

1. Upon being indicted, Louis immediately commenced cooperating with federal law enforcement authorities, providing valuable testimonial and documentary evidence relating to defendants in the instant indictment and others not yet charged with crimes. On June 26, 2023, this Court granted Louis' unopposed motion to transfer her pretrial release supervision to the Eastern District of New York. [DE87].

2. Pursuant to an agreement with the Government, Louis plead guilty to Count One of the Indictment herein on September 15, 2023 [DE120]. On November 30, 2023, this Court

sentenced Louis to twenty-one months imprisonment (which was at the bottom of the advisory guideline range), followed by a three-year term of supervised release, and allowed Louis to voluntarily surrender to the Federal Bureau of Prisons (“BOP”) on April 5, 2024 (recommending FCP Danbury) [DE214]. At the sentencing hearing, the Government represented to this Court that Louis had provided cooperation to law enforcement authorities and would continue to do so post-sentencing, and advised this Court that they would file a Rule 35 motion to reduce Louis’ sentence upon completion of her cooperation. The parties agreed, and this Court approved, to delay Louis’ allocution, and this Court’s consideration of the 3553 factors and Louis’ motion for downward variance, until a hearing upon the not-yet-filed Rule 35 motion. At a later date, the BOP, following this Court’s recommendation, designated Louis to serve her sentence at the Danbury FCP commencing on April 5, 2024.

3. Because Louis has not completed her cooperation with the Government, and agents have expressed a preference to have Louis readily available for her ongoing cooperation in various matters, the parties have agreed to request this Court to postpone her surrender to the Bureau of Prisons for at least three months, or no sooner than July 5, 2024. By allowing Louis to complete her cooperation with the Government while still on release, undersigned counsel, at a Rule 35 hearing, will have an opportunity to advocate that a reduction of Louis’ 21-month sentence not include incarceration.

4. Since November 1, 2023, Louis has been employed full-time at Saks Off 5th Avenue in Garden City, New York, serving as a customer service supervisor. On March 15, 2024, undersigned counsel conferred with USPO Corinne Carroll, who supervises Louis in the Eastern District of New York. Ms. Carroll indicated that Louis has been fully compliant with all conditions of her release, and has maintained employment. That same day, undersigned counsel

conferred with USPO McKenzie Hilaire in the Southern District of Florida. She indicated that she had no objection to the granting of this motion requesting postponement of Louis' voluntary surrender to the BOP facility.

5. On several occasions, undersigned counsel and Assistant United States Attorney Christopher Clark have conferred regarding this motion, most recently on March 15, 2024. Mr. Clark and undersigned counsel have agreed to request this Court to postpone Louis' voluntary surrender to the BOP on April 5, 2024 for at least three months from that date in order for her to complete her cooperation, and for this Court to hold a hearing on the Rule 35 motion that the Government intends to file.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2024, a true and correct copy of the foregoing was served via CM/ECF on all counsel of record, and a copy emailed to USPO Corinne Carroll at Corinne_Carroll@nyept.uscourts.gov and McKenzie Hilaire at McKenzie_Hilaire@flsp.uscourts.gov.

By: /s/ Ignacio M. Alvarez
Ignacio M. Alvarez, Esq.